

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOHN BOOKER,
Petitioner,

v.

SUPT. CYNTHIA LINK, et al.,
Respondents.

: CIVIL ACTION
:
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: NO. 16-cv-4931
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:
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ORDER

AND NOW, this 7th day of August, 2017, upon careful and independent consideration of the petition for a writ of habeas corpus filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Lynne A. Sitarski, IT IS ORDERED that:

1. The Report and Recommendation is APPROVED and ADOPTED.
2. Petitioner's motion (ECF No. 8) is GRANTED, and that Respondents' motion (ECF No. 12) is GRANTED.
3. The petition for writ of habeas corpus be STAYED and held in ABEYANCE while Petitioner litigates his PCRA petition in the state courts.
4. The Clerk of the Court is to return the state court record to the state courts.
5. Petitioner shall notify the District Court of the conclusion of the state court proceedings. At that time, Petitioner shall provide a written status report detailing the conclusion of his state court exhaustion efforts, and include a copy of the relevant state court disposition. Petitioner shall inform the District Court whether the state court proceedings impacted his habeas petition in any way.

BY THE COURT:



MITCHELL S. GOLDBERG, J.